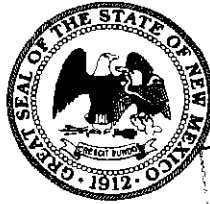


NEW MEXICO PUBLIC REGULATION COMMISSION

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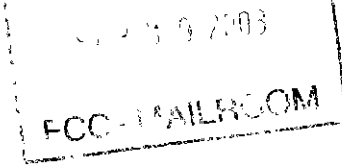
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DISTRICT 2 DAVID W. KING, VICE CHAIRMAN
DISTRICT 3 HEROME D. BLOCK
DISTRICT 4 LYNDA M. LOVEJOY, CHAIRWOMAN
DISTRICT 5 E. SHIRLEY BACA



1120 Paseo de Peralta/P.O. Box 1269
Santa Fe, NM 87504-1269

Office of Commissioner E. Shirley Baca

Phone (505) 827-8020
Fax (505) 476-0473



September 18, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re Ex Parte Communication, CC Docket No. 99-273

Dear Ms. Dortch:

The Federal Telecommunications Act of 1996 set a goal of promoting competition in *all* telecommunications markets. The \$5-6 billion wireline directory assistance (DA) market is surely one of those markets that would be included in that goal.

It is clear, based on the extensive record developed in the Federal Telecommunications Commission (FCC) proceeding the CC Docket No. 99-273, that any attempt to initiate a form of presubscription of the DA dialing code 411 or variation of the 411 code would be cost prohibitive to deploy and would cause confusion on the part of the average end user customer. End user would be required to go through a lengthy and confusing balloting process and would be open to new slamming issues.

411 DA services are provided by multiple sources such as Incumbent Local Exchange Carriers (ILECs), Competitive Local Exchange Carriers (CLECs) and wireless providers. In addition there exists a variety of directory type services available from ILECs, CLECs, alternative dialing providers including 800 type service providers, wireless DA providers, internet-based providers and other searchable databases such as phone books.

Presubscription of 411 DA would burden the entire telecom industry while ignoring a meaningful cost/benefit analyses. Presubscription would also impose new costs on providers that are already experiencing a reduction in customers due to the

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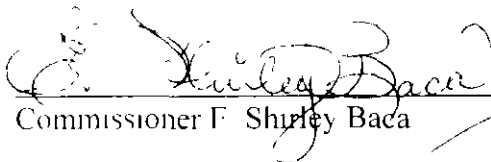
increasingly competitive environment. In addition, a total elimination of 411 services is clearly not in the public's best interest and would serve to remove a customer convenience.

While the New Mexico Public Regulation Commission applauds the FCC's efforts to determine the extent of competition in the DA market, we caution the FCC to weigh the costs and benefits of any proposed plan and the impact the plan may have on the DA end user customer.

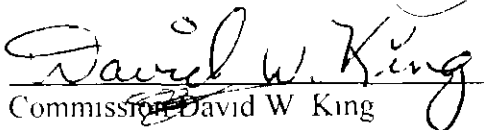
Consumers in the U.S. wireline retail DA market deserve to share in the competitive benefits, including lower prices and better quality services, enjoyed by European consumers and U.S. wireless customers.

For the foregoing reasons, the New Mexico Public Regulation Commission urges the Federal Communications Commission promptly to adopt appropriate rules to promote competition in the wireline retail directory assistance market.

Respectfully submitted,


Commissioner F. Shirley Baca


Commissioner Jerome D. Block


Commissioner David W. King